

भारत सरकार
GOVERNMENT OF INDIA



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Part II - Section 3

केन्द्र-शासित प्रदेश लद्दाख प्रशासन
ADMINISTRATION OF UNION TERRITORY OF LADAKH

OFFICE OF THE PRINCIPAL SECRETARY, FOREST, ENVIRONMENT AND ECOLOGY.

Notification,

Leh, the 3rd of May, 2023

S.O. 26 In exercise of the powers conferred by section 76A of the Indian Forest Act 1927 (16 of 1927), the Lieutenant Governor, Union territory of Ladakh is pleased to make the following rules, namely: -

- Short title, extent and commencement** — (1) These rules may be called the Union territory of Ladakh Forest Produce (Storage and Depot) Rules, 2023;
- (2) These rules shall apply to whole of the Union territory of Ladakh except the Depots established by the Government Departments and Government undertakings.
- (3) These Rules shall come into force from the date of its publication in the Official Gazette;

2. **Definitions.-** (1) In these rules, unless the context otherwise requires, —

- a. **"Act"** means the Indian Forest Act, 1927 (16 of 1927);
- b. **"Administration"** means the Administration of Union territory of Ladakh;
- c. **"Depot"** means a place where forest produce is stored by any person or institution or a joint concern for the purpose of trade or any temporary use for trade purposes
- d. **"Divisional Forest Officer"** means the Divisional Forest Officer having territorial jurisdiction over the area concerned;
- e. **"Forest Produce"** means the forest produce listed in Schedule-I
- f. **"Form"** means a form appended to these Rules.
- g. **"License"** means license prescribed under these Rules.
- h. **"Principal Chief Conservator of Forest/ Chief Conservator of Forests"** means an officer holding the charge of the Principal Chief Conservator of Forests, UT of Ladakh and Chief Conservator of Forests holding Territorial Forest circle concerned.
- i. **"Schedule"** means the Schedule appended to these rules;
- j. **"Trade"** means business carried as a means of livelihood or profit.
- k. **"Union territory"** means the Union territory of Ladakh.

(2) All other words and expressions used but not defined in these rules shall have the ~~same~~ meaning as assigned to them in the Indian Forest Act, 1927.

- 3. **Application for License.** - Any person or institution desirous of setting up a forest produce depot shall obtain a license from the Divisional Forest Officer in Form 2 (Appendix I) giving full particulars (In Form-I- Appendix I) of land, khasra.no. Municipality, Tehsil, block, and the extent and title deed registered in his/her favour or any person from whom he has leased it.
- 4. **Procedure for grant of License.** - (1) On receipt of an application in Form 1, Divisional Forest Officer shall make such enquiry as one deems fit, and after satisfying oneself as to the genuineness of the need etc., may grant a license in Form-2 for a period not exceeding three years at a time (2) Every application shall be accompanied by a fee of Rs. 500/- for grant of a license or its renewal. Divisional Forest Officer can reject application and refuse to grant a depot license for reasons given in written. Applicant can make an appeal to Conservator of forest/ Chief conservator of forest within 30 days of rejection of application by Divisional Forest Officer. Decision of Conservator of Forest/Chief conservator of Forest can be challenged by an appeal before Principal Chief Conservator of Forests (PCCF) within 30 days. Decision of Principal Chief Conservator of Forests (PCCF) shall be final.
- 5. **Security Deposit.** - (1) The licensee shall on being required to do so by the Divisional Forest Office, and before the issue of license make a deposit in favor of Divisional Forest Officer a minimum amount of Rs.

1000/- but not exceeding Rs. 10000/- as security deposit towards due observance of provisions of the Act, and the rules made thereunder. (2) The discretion of fixing the amount of security deposit in each case shall vest with the Divisional Forest Officer, who shall take into consideration the nature and quantities of Forest Produce to be stored.

6. License granted subject to the provisions of rules. - Every license granted under Rule 4 shall, subject to the provisions of Rule 11 and Rule 13 of these rules.
7. Renewal of registration: The Divisional Forest officer, may on application made to him (before the expiry of the existing license] may renew the license granted under Rule 4 for a further period not exceeding three years at a time.
8. Register to be maintained. - (1) All transactions involving receipt storage and disposal shall be recorded in two separate registers in the proforma prescribed in Form-3A and 3-B separately (Appendix-I) (2) Every license holder shall submit annually, an abstract of the proforma to the Divisional Forest Officer through Range Officer concerned, before the 30th of April of every year, failing which he shall be liable to pay a penalty as prescribed under Sub-Section (2) of Section 76A of Indian Forest Act, 1927 of default which shall be levied by the Divisional Forest Officer. In the event of non-payment of the penalty so levied it shall be adjusted from the security deposit and the security deposit shall be replenished to original amount within 30 days, failing which the depot license shall stand temporarily suspended till the security deposit is replenished, to its original amount.
9. License not transferable. - The license granted under these rules shall not be transferable, unless permitted in writing by the Divisional Forest officer.
10. Power to enter the Depot. - All Officers of Forest Department of and above the rank of a Forest Guard shall have the power to enter into any depot for the purpose of inspection and securing compliance with these rules.
11. Conditions regulating use of depot permits- An owner of the depot to whom permission has been given under Rule 4 shall abide by the following conditions, namely:
 - (a) One shall not bring or store at his depot any forest produce-
 - i. which does bear valid property mark and/or hammer mark as the case may be;
 - ii. Whose transit from the source of collection or origin up to the depot is not covered by transit permit issued by any forest Department.
 - (b) The transit permit referred to in clause (a) shall be retained by him up to six months from the date of complete disposal or removal from the depot of all the forest produce brought under such permits and shall be produced for inspection within that period on demand by a forest officer having jurisdiction.
 - (c) One shall not remove, or allow to be removed, from the depot any forest produce unless accompanied by a depot permit signed by himself or by his authorized agent.
 - (d) One shall obtain the depot permits on payment from the Range Officer in whose jurisdiction the depot is located on payment of price fixed by the Chief Conservator of Forests. Each depot

permit shall bear the official seal of the Divisional Forest Officer of the Division.

- (e) One or One's authorized agent, as the case may be, shall issue the original permit to the person removing the forest produce and send the first carbon copy to the Range Officer having jurisdiction within a week of issue of the permit and retain the second carbon copy for his record. All corrections or rewritings shall be duly attested by the person issuing the depot permit.
 - (f) One shall return the permit book containing the fourth carbon copy as soon as it is completely used up or after the forest produce for the removal of which the permit book was issued, is disposed of, whichever is earlier. On cancellation of the permission under Rules 13, all partially used permit books shall be returned to the Range Officer and receipt obtained to this effect from him.
 - (g) The permit book issued for a particular forest produce shall be used only for that produce. The permit book is not transferable and shall be used only by the person to whom it is issued or by one's authorized agent.
12. **Sale Hammer Mark** - (1) every person having a registered depot shall register One's sale hammer mark in the office of the Forest Division in which the depot is situated. No fee shall be paid for the registration of the sale hammer mark.
- (2) The registration of a mark under this rule shall be valid for a period of 3 years from the date of such registration.
 - (3) No timber shall be removed from any registered depot until it has been marked with the registered sale hammer of the owner of the registered depot.
13. Cancellation of the license on contravention of the provisions. - (1) Notwithstanding anything in the foregoing rules, the Divisional Forest Officer may, where One has reason to believe that a licensee has contravened the provision of Act or any rule made thereunder, at any time, revoke the license granted under these rules, after giving the licensee an opportunity of being heard. (2) For any violation of the provisions of Act, or the rules made thereunder by the licensee, the Divisional Forest Officer shall be competent to seize and confiscate any forest produce together with machinery, implements, and equipment which might have been used in the commission of the offence. (3) In case of violation, where it is not proposed to either revoke the license or seize and confiscate the produce etc., the Divisional Forest Officer shall be competent to impose a penalty as prescribed under Sub-Section (2) of Section 76A of Indian Forest Act, 1927. (4) All penalties levied shall be paid by the licensee within thirty days from the date of dispatch by Registered post of the order of the notice or demand for payment. In case of failure to pay the penalties in time, the same will be adjusted from the security deposit, which shall be replenished immediately. The license granted shall be deemed to be inoperative until such time the license replenishes the adjustments in the security deposit. (5) In the event of revocation of license under sub-rule (1) or seizure and confiscation of Forest produce together with machinery implements etc. under sub-rule (2) the Divisional Forest Officer shall be competent to forfeit security deposit

either in part or the whole.

14. Appeal and Revision. - (1) Any person aggrieved by the orders of Divisional Forest Officer may within thirty days of the service on of the order prefer an appeal to the Chief Conservator of Forests, who shall hold or cause to be held such enquiry as he deems fit and after giving an opportunity of making a representation to the appellant pass an order, as he deems fit. (2) Any person aggrieved by an order of Chief Conservator of Forests or passed under sub-rule (1) may within thirty days from the date of receipt of the order prefer revision petition to the Principal Chief Conservator of Forests, who may pass such order as he deems fit, and such order shall be final.

By Order of the Lieutenant Governor, Union Territory of Ladakh.

(Dr. Pawan Kotwal IAS)
Principal Secretary,
Forest, Environment and Ecology

SCHEDULE — 1 - Vide Rule 2 (1) (e)

2. Timber obtained from the following tree species: # Name
 - Deodar (*Cedrus deodara*)
 - Kail (*Pinus wallichiana*)
 - Fir (*Abies pindrow*)
 - Spruce (*Picea smithiana*)
 - Chir (*Pinus roxburghii*)
 - Walnut (*Juglans regia*)
 - Ash (*Fraxinus floribunda*)
 - Box (*Buxus sempervirens*)
 - Maple (*Acer spp*)
 - Bird cherry (*Prunus padus*)
 - Toon (*Toona ciliata*)
 - Elm (*Ulmus wallichiana*)
 - Imported Conifers like Russian kail, Malaysian Kail, Japanese Kail etc
 - *Populus deltoids*
 - *Tectona grandis*
 - *Delbergia sissoo*
 - *Robinia pseudoacacia*
3. *Morchella spp.* (Morels)
4. *Aconitum spp.*
5. *Podophyllum spp.*
6. *Picrorhiza spp.*
7. *Trillium spp*
8. *Nardostachys spp*
9. *Taxus spp*
10. *Valeriana spp*
11. Rheum spp
12. *Valeriana spp*
13. Rheum spp

14. *Jurenia* spp(Dhoop)
15. *Valeriana App* (Mushkbala)
16. *Atropa spp* (Balladona)
17. *Bergenia ciliate*
18. *Dioscorea spp.*

Appendix I

Form 1 [See Rule 4 (1)]

Form for Application of a License

1. Name of the applicant
2. Full address of the applicant with title deed of the site duly registered in his name or copy of registered lease deed of site executed in One's favour.
3. Sources from where the forest produce is to be obtained
4. Place where the applicant proposes to keep the forest produce (A Sketch should be enclosed)
 - a. Khasra No.
 - b. Village
 - c. Tehsil/ Block/ municipality
5. Quantity and description of Forest produce which is likely to be stored
6. Details of payment of application

Dated:

Place:

Signature

Form 2 [See Rule 4(1)]

License for Setting up a Forest Produce Depot Division

1. License number
 2. Name of licensee
 3. Address of licensee
 4. Place in which the Forest Produce is to be stored:
 - a. Khasra No.
 - b. Village
 - c. Tehsil/ Block/ municipality
 5. Type and maximum quantity of Forest produce permitted to be stored
 6. Period of license From to Station
- Date:

Signature of Licensing Authority and Designation

Form 3B
[See Rule 8]
Form of Register Showing the Disposal of Forest Produce in Depot

Date of disposal	Species	Details of Forest Produce disposed off			To whom disposed destination	Remarks (Cash Bill No. etc.)
		Nos.	Cum/ mt.	Permit		
1	2	3a	3b	3c	4	5

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